

R597. Judicial Performance Evaluation Commission, Administration.

R597-4. Justice Courts.

R597-4-1. Classification of Justice Court Judges.

- (1) Each judge's classification shall be made by the commission following the judge's retention election, except that newly-appointed judges shall be classified upon appointment.
- (2) Classification shall be based on:
 - (a) the dates of required retention elections for the court or courts in which the judge serves and;
 - (b) the weighted caseload data and attorney appearance data provided by the Administrative Office of the Courts for the 12 months preceding the judge's most recent election or appointment.
- (3) If the data specified in subsection R597-4-1(2)(b) is unavailable or inapplicable, classification shall be based on the best data available from the Administrative Office of the Courts.
- (4) Justice court judges shall be classified into a single controlling cycle for the purposes of evaluation timing.
- (5) Justice court judges shall be classified into one of three categories for purposes of judicial evaluation, based on the timeframes specified in sections R597-4-1(2)(b) and R597-4-1(3):
 - (a) full evaluation judges must have a total of 50 or more attorneys with at least one trial appearance or three total appearances in the combined jurisdictions in which they serve;
 - (b) mid-level evaluation judges must have fewer than 50 attorneys with at least one trial appearance or three total appearances in the combined jurisdictions in which they serve and a weighted caseload, as defined by the Administrative Office of the Courts, of .2 or more in at least one jurisdiction; and
 - (c) basic evaluation judges must not qualify for full evaluation and must have a weighted caseload of less than .2 in every jurisdiction in which they serve.
- (6) Once classified, the judge retains the classification for the duration of the judge's controlling cycle term of office.
- (7) Once classified, the judge may be evaluated in any court in which the judge serves, regardless of retention year.
- (8) Evaluation data gathered from different courts served by a single judge shall be aggregated into a single midterm report and a single retention report.
- (9) For judges who stand for retention election in multiple years, the retention report compiled pursuant to the controlling cycle shall be used for all other subsequent retention elections for which that judge stands within the controlling cycle.

R597-4-2. Mid-level Evaluation of Justice Court Judges.

- (1) Mid-level evaluations shall include an intercept survey, as specified in Subsection 78A-12-207(3), which may include follow-up interviews by phone, as necessary;
- (2) A mid-level evaluation may include courtroom observation, conducted using the methods in Subsection R597-3-2(8), in order to allow for sufficient data collection to conduct an evaluation.
- (3) When a mid-level evaluation includes data collection methods beyond an intercept survey, as allowed in Subsection R597-4-2(2), commission staff shall track and report the additional methods used.

KEY: justice court evaluations, justice court multiple jurisdictions, justice court classifications, justice court multiple election years

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